

FILED  
JAMES DONINI  
CLERK

05 OCT 12 PM 2:37

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF OHIO  
WESTERN DIVISION

LOUIS MERRIWEATHER,  
Petitioner

-vs-

Case No. 1:02cv369

(Spiegel, Sr.J.; Hogan, M.J.)

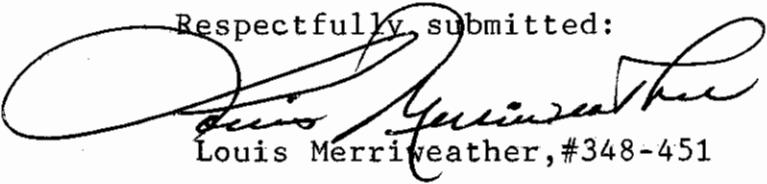
Tim Brunsman,  
Respondent

MOTION TO VOLUNTARILY DISMISS ALL CLAIMS NOT ASSERTED IN  
IN ORIGINAL PETITION OF MAY 12, 2002 AND AMENDED ON APRIL  
28, 2004.

Now comes Petitioner Merriweather and respectfully moves the court to dismiss all new claims which were not listed in original petition or listed in amended petition of April 28, 2004.

This request is voluntarily on the petitioner's part because new claims have not properly been exhausted in state court.

Respectfully submitted:

  
Louis Merriweather, #348-451

CERTIFICATE OF SERVICE

I, hereby certify that a correct copy of the foregoing was mail to Stuart A. Cole at the office of Ohio Attorney General, 30 E. Broad St. 17th Fl. Columbus, Oh., 43266 on this 9<sup>th</sup> day of Oct. 2004, by paid first class U.S. Mail.

  
Louis Merriweather